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Attorneys for Defendants William E. and Desiree B. Moore
Revocable Trust; Trustees of The William E. and Desiree B. Moore
Revocable Trust; Desiree B. Moore Revocable Trust;
William E. Moore Marital Trust; William E. Moore
Generation-Skipping Trust; and Desiree Moore

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO AND OAKLAND DIVISION

THOMAS FERNANDEZ, LORA SMITH and
TOSHA THOMAS, individually and on behalf of
a class of all other persons similarly situated,

Plaintiff,

VS.

K-M INDUSTRIES HOLDING CO., INC.; K-M INDUSTRIES HOLDING CO., INC. ESOP PLAN COMMITTEE; WILLIAM E. AND DESIREE B. MOORE REVOCABLE TRUST; TRUSTEES OF THE WILLIAM E. AND DESIREE B. MOORE REVOCABLE TRUST; CIG ESOP PLAN COMMITTEE; NORTH STAR TRUST COMPANY; DESIREE B. MOORE REVOCABLE TRUST; WILLIAM E. MOORE MARITAL TRUST; WILLIAM E. MOORE GENERATION-SKIPPING TRUST; and DESIREE MOORE, BOTH IN HER INDIVIDUAL CAPACITY AND AS TRUSTEE OF THE WILLIAM E AND DESIREE B. MOORE REVOCABLE TRUST'S SUCCESSOR TRUSTS NAMED ABOVE

Defendant.

) Case No. C 06-07339 CW
)
) DEFENDANTS WILLIAM E. AND
) DESIREE B. MOORE REVOCABLE
) TRUST, TRUSTEES OF THE WILLIAM
) E. AND DESIREE B. MOORE
) REVOCABLE TRUST, DESIREE B.
) MOORE REVOCABLE TRUST,
) WILLIAM E. MOORE MARITAL
) TRUST, WILLIAM E. MOORE
) GENERATION-SKIPPING TRUST, AND
) DESIREE B. MOORE'S JOINDER IN
) K-M INDUSTRIES HOLDING CO., INC.,
) K-M INDUSTRIES HOLDING CO. INC.
) ESOP PLAN COMMITTEE AND CIG
) ESOP PLAN COMMITTEE'S
) OPPOSITION TO PLAINTIFFS'
) MOTION FOR CLASS CERTIFICATION
) AND APPOINTMENT OF COUNSEL
)
) DATE: July 3, 2008
) TIME: 2 p.m.
) CTRM: 2, 4th Floor
) JUDGE: Hon. Claudia Wilken
)
)

1 Defendants William E. Moore and Desiree B. Moore Revocable Trust, Trustees of the
 2 William E. Moore and Desiree B. Moore Revocable Trust, Desiree B. Moore Revocable Trust,
 3 William E. Moore Marital Trust, William E. Moore Generation-Skipping Trust and Desiree B.
 4 Moore hereby respectfully join the Opposition to Plaintiffs' Motion for Class Certification and
 5 Appointment of Class Counsel ("Opposition") filed by K-M Industries Holding Co. Inc., K-M
 6 Industries Holding Co. Inc. ESOP Plan Committee, and CIG ESOP Plan Committee. For the
 7 reasons stated in the Opposition, the Court should deny class certification.

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 9 DATED: June 12, 2008

HENNIGAN, BENNETT & DORMAN

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 11 By: _____/S/ Caroline Walters
 12 Caroline Walters

13 Attorneys for Defendant
 14 WILLIAM E. AND DESIREE B. MOORE
 15 REVOCABLE TRUST; TRUSTEES OF THE
 16 WILLIAM E. AND DESIREE B. MOORE
 17 REVOCABLE TRUST; DESIREE B. MOORE
 18 REVOCABLE TRUST; WILLIAM E. MOORE
 19 MARITAL TRUST; WILLIAM E. MOORE
 20 GENERATION-SKIPPING TRUST; and
 21 DESIREE MOORE